

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on September 7, 2004 at 7:00 p.m. after a 6:30 p.m. caucus session.

Mayor Carter presiding.

Mayor Carter led the Pledge of Allegiance to the United States of America.

The following members of the Council answered roll call: YEA Commissioner Mark Donnell, YEA Commissioner Harold Gambill, YEA Commissioner Jerrold Hesse, Absent Commissioner David Schilling, YEA Mayor David E. Carter.

Commissioner Donnell seconded by Mayor Carter moved to adopt Resolution 2004-2559, acknowledging Mattoon's Babe Ruth Softball Twelve and Under World Series Champions. Commissioner Donnell read the resolution, acknowledging the outstanding achievement of the Mattoon's 12-and-under girls' softball team and the dedication and commitments of those named in the resolution. Coach Wade Bradley thanked the City Council for making the team's participation possible.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2004-2559

A RESOLUTION ACKNOWLEDGING MATTOON'S BABE RUTH SOFTBALL WORLD SERIES CHAMPIONS

WHEREAS, Mattoon's 12-and-under girls softball team won the 2004 Babe Ruth Softball World Series Championship on August 14, 2004 culminating a week long special event hosted by the City of Mattoon for regional champions from across North America; and

WHEREAS, this accomplishment brought great recognition to the City of Mattoon; and,

WHEREAS, the City Council desires to express its gratitude to all persons who had a role in hosting this event and to the girls, coaches and parents who brought the world championship title to the City of Mattoon.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON AS FOLLOWS:

Section 1. Although it will not be possible to identify all of the hundreds of persons who had an important role in participating and hosting in this event, special recognition is given to:

- The fifteen girls who, hit, fielded and ran the bases to outscore opponents a combined 84-15 in seven World Series games;
- The families of these girls, who sacrificed weekends to travel to plenty of tournaments without much fanfare;
- Coaches Wade Bradley, Mike Dow, Tony Sparks and Dave Starwalt, who spent hours, not only with this team but with plenty of other girls softball teams for a decade or so, sticking with it when the outcome was not always so successful;
- The families who hosted girls in their homes from the visiting softball teams competing in the World Series event;
- The business sponsors who provided the financial resources to underwrite costs of the event;
- Parks Superintendent Kurt Stretch and his grounds crew, who have made Lawson Park and Mattoon's other ball fields some of the best youth fields in North America; and finely to
- Chris Considine and Dave Cox, who served as co-presidents of the host committee.

Section 2. The World Series Host Committee or its affiliates in consultation with Kurt Stretch is hereby authorized to install signs at Lawson Park and the Roundhouse Complex to boldly proclaim **"2004 BABE RUTH GIRLS SOFTBALL WORLD SERIES CHAMPIONS"**.

Upon motion by Commissioner Donnell, seconded by Mayor Carter, adopted this 7th day of September, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill

Commissioner Hesse, Mayor Carter

NAYS (Names): None

ABSENT (Names): Commissioner Schilling

Approved this 7th day of September, 2004.

/s/ David E.Carter

Mayor David E.Carter

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on September 8, 2004.

Mayor Carter seconded by Commissioner Donnell moved to approve the minutes of the regular meeting held on August 17, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to approve the reports of the Police Department for the month of June and Library for the months of July and August.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Donnell moved to approve bills and payroll for the last half of August.

Bills and Payroll

General Fund

Payroll	\$ 224,651.61
Bills	<u>\$ 668,423.13</u>
Total	\$ 893,074.74

Hotel Tax Fund

Payroll	\$ 1,755.23
Bills	<u>\$ 2,786.87</u>

	Total	\$ 4,542.10
<u>Festival Management</u>		
Bills		<u>\$ 15,223.73</u>
	Total	\$ 15,223.73
<u>Insurance & Tort Jdgmnt</u>		
Bills		<u>\$ 6,250.00</u>
	Total	\$ 6,250.00
<u>Capital Project</u>		
Bills		<u>\$ 6,289.18</u>
	Total	\$ 6,289.18
<u>Water Fund</u>		
Payroll		\$ 33,919.49
Bills		<u>\$ 78,704.49</u>
	Total	\$ 112,623.98
<u>Sewer Fund</u>		
Payroll		\$ 29,236.24
Bills		<u>\$ 57,111.33</u>
	Total	\$ 86,347.57
<u>Cemetery Fund</u>		
Payroll		\$ 2,167.94
Bills		<u>\$ 1,863.71</u>
	Total	\$ 4,031.65
<u>Health Insurance</u>		
Bills		<u>\$ 116,291.85</u>
	Total	\$ 116,291.85
<u>Motel Fuel Tax</u>		
Bills		<u>\$ 93,071.37</u>
	Total	\$ 93,071.37

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Fire Chief Bruce Grafton made a public presentation, recognizing and expressing the City Council’s gratitude to Captains Virgil Herschberger and Gerald Nichols, who recently retired from the Mattoon Fire Department with twenty years of service for each of them.

VFW Commander John Protz made a formal request to rename South 19th Street Veterans Drive from Marshall to Lake Land Blvd. (John Protz, Commander VFW and Lee Oakley, Commander, America Legion). Mayor Carter stated the City would have to contact the Post Office, residents, and businesses that would be affected by the renaming of the street. City Attorney/ Treasurer J. Preston Owen stated he would research the procedures for renaming a street. City Administrator Richard Underkofler announced there would be a lag time before renaming a street, allowing residents/businesses ample time to make appropriate changes.

Mayor Carter read the following proclamation:

PROCLAMATION
VFW DAY

WHEREAS, This nation is kept strong and free by the loyal citizens who preserve our precious freedom heritage through their positive patriotic declarations and actions, and

WHEREAS, All loyal citizens should make it their duty to inspire complete patriotism among all our people, and

WHEREAS, We urgently need a vigorous display of true red, white, and blue Americanism, thus convincing friends and foes alike that our nation is firmly united for self preservation, now

THEREFORE, I, David E. Carter, Mayor of the City of Mattoon, hereby concur with the Governor and the State Legislature in designating the twenty-ninth day of September as Veterans of Foreign Wars Day, celebrated throughout the state and, I urge every individual, school, church, organization, business establishment and household within the City of Mattoon to publicly reaffirm their strong allegiance to our Flag, Country and the men and women in uniform, through active participation in patriotic programs being sponsored by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary, and others, on VFW Day, September 29, 2004.

(SEAL) _____ /s/ David E. Carter
David E. Carter, Mayor

Attest: _____ /s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

Mr. Lee Graham readdressed the Council, requesting an ordinance to establish a Human Relations Commission, presented examples for the need of the commission, described his qualifications as the Human Relations Director, and reiterated that citizens needed a place to voice their concerns. Ms. Lynn Paten spoke on behalf of the need for the commission, due to circumstances with she had been involved. Mr. Phillip Joyner spoke on behalf of the need for the commission due to his (alleged) harassment by police officers. Mrs. Shirley Graham spoke on behalf of the commission, reiterating the need for citizens to have a place where they could acquire assistance. Police Chief Metzelaars addressed Mr. Joyner's claim with the staff was investigating and reviewing the necessary paperwork. Mr. William Graham spoke on behalf of the commission due to (alleged) harassment. Renee Brooks spoke on behalf of the commission, because the NAACP and Jesse Jackson stated Mattoon was too small of a community to help. Mayor Carter requested Administrator Underkofler to have information available at the next meeting to determine whether a commission would be created.

Mayor Carter seconded by Commissioner Donnell moved to adopted Resolution 2004-2560, approving an update to the City's Equal Employment Opportunity Plan.

CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2004-2560

A RESOLUTION APPROVING AN UPDATE TO THE CITY'S EQUAL EMPLOYMENT OPPORTUNITY PLAN

WHEREAS, the purpose of an Equal Employment Opportunity Plan is to insure full and equal participation of men and women regardless of race or national origin in the workforce of an agency that receives federal grant funds; and

WHEREAS, it is now necessary for the City Council to update its Equal Employment Opportunity Plan to maintain continued eligibility for federal grants.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS that the mayor is authorized to sign a document indicating the Council's approval of an update to the City of Mattoon's "Equal Employment Opportunity Plan", a copy of which is attached hereto and incorporated by reference.

Upon motion by Mayor Carter, seconded by Commissioner Donnell, adopted this 7th day of September 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,
Commissioner Hesse, Mayor Carter

NAYS (Names): None

ABSENT (Names): Commissioner Schilling

APPROVED this 7th day of September, 2004.

/s/ David E.Carter

David E. Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on September 8th, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to adopted Special Ordinance 2004-1042, granting a variance from front yard set back requirements to enable construction of a single-family dwelling unit at 712 Vanlaningham Drive.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2004-1042
AN ORDINANCE GRANTING A VARIANCE FROM FRONT YARD SET BACK
REQUIREMENTS TO ENABLE CONSTRUCTION OF A SINGLE FAMILY
DWELLING UNIT AT 712 VANLANINGHAM DRIVE.

WHEREAS, there has been filed a written Petition by Robert Bartley Owen for a variance, respecting the property legally described as the North 150.00 feet of the West One Third (W. 1/3) of Lots Two (2) and Three (3) in Block Eleven (11) of Noyes' Addition to the City of Mattoon, Coles County, Illinois, commonly known as 712 Vanlaningham Drive. Said petition requests that a variance be granted to provide only a 10-foot setback on the front lot lines to enable construction of a single-family dwelling unit on said lots, pursuant to applicable City Ordinance.

WHEREAS, the zoning code normally requires a 15-foot front yard setback and a 5-foot rear yard setback. The requested variance would authorize placement of the structure in manner that would enable a 10-foot rear yard.

WHEREAS, the Board of Zoning Appeals held a properly noticed pubic hearing on August 17, 2004 regarding petitioner's request for said variance.

WHEREAS, both the Planning Commission for the City of Mattoon, Coles County, Illinois, and the Zoning Board of Appeals for the City of Mattoon, Coles County, Illinois, have recommended that the requested variance be granted.

WHEREAS, the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended change is in the public interest.

Section 1. Schedule I of Chapter 75 of the City of Mattoon Code of Ordinances is hereby repealed and reenacted as shown on Exhibit A to this ordinance, a copy of which is attached and incorporated herein by reference.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Hesse, seconded by Commissioner Donnell, adopted this 7th day of September, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,
 Commissioner Hesse, Mayor Carter

NAYS (Names): None

ABSENT (Names): Commissioner Schilling

APPROVED this 7th day of September, 2004.

/s/ David E.Carter

David E. Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on September 8th, 2004.

EXHIBIT A

SCHEDULE I. NO PARKING ON CERTAIN STREETS.

(A) When signs are erected giving notice thereof, parking is hereby prohibited at all times at the following locations:

<u>NO PARKING</u>			
STREET	FROM	TO	SIDE
McFall Road	North terminus	Broadway Avenue East	East/West
Swords Drive	Broadway Avenue East	Remington Road	East/West
Dettro Drive	State Route 16	Country Club Road	East/West
Holiday Road	North terminus	Broadway Avenue East	East/West
Major General Phipps	Richmond Avenue East	Broadway Avenue East	East/West
Logan Street	Dewitt Avenue	Lafayette Avenue	East/West
6th Street	County Highway 18	Marshall Avenue	East/West
10th Street	Dewitt Avenue	Broadway Avenue	East/West

12th Street	Dewitt Avenue	Charleston Avenue	East/West
14th Street	Charleston Avenue	Marshall Avenue	East/West
15th Street	Richmond Avenue	Entrance of Post Office	East/West
15th Street	Marshall Avenue	Alley south of Marshall Avenue	East/West
Lake Land Boulevard	Charleston Avenue	South City Limit	East/West
19th Street	Dewitt Avenue	Charleston Avenue	East/West
19th Street	North City Limit	Washington Avenue	East/West
21st Street	Broadway Avenue	Marshall Avenue	East/West
25th Street	Marion Avenue	Walnut Avenue	East/West
26th Street	Marion Avenue	Walnut Avenue	East/West
27th Street	Marshall Avenue	South to high school	East/West
27th Street	Pine Avenue	Charleston Avenue	East/West
33rd Street	North City Limit	Western Avenue	East/West
33rd Street	Marshall Avenue	South City Limit	East/West
6th Street	Marshall Avenue	Oklahoma Avenue	East
14th Street	Marshall Avenue	Rudy Avenue	East
15th Street	Wabash Avenue	Edgar Avenue	East
16th Street	Charleston Avenue	Marshall Avenue	East
21st Street	Richmond Avenue	Western Avenue	East
12th Street	Hayes Avenue	Dewitt Avenue	West
17th Street	Shelby Avenue	Champaign Avenue	West
21st Street	Marion Avenue	South terminus	West
22nd Street	Marion Avenue	South terminus	West
32nd Street	Dewitt Avenue	Moultrie Ave	West
Dewitt Avenue	East City Limit	West City Limit	North/South
Champaign Avenue	Bridge over CNIC RR	19th Street	North/South
Richmond Avenue	Logan Street	Entrance to City Hall	North/South
Richmond Avenue East	Holiday Road	Logan Street	North/South
Broadway Avenue East	East terminus	Logan Street	North/South
Charleston Avenue	East City Limit	21st Street	North/South
Lafayette Avenue	Logan Street	6th Street	North/South
Lafayette Avenue East	Odd Fellow Road	Logan Street	North/South
Marshall Avenue	6th Street	West City Limit	North/South
Champaign Avenue	14th Street	Bridge over CNIC RR	South
Richmond Avenue	Entrance to City Hall	19th Street	South
Prairie Avenue	20th Street	21st Street	South
Prairie Avenue	1st Street	2nd Street	South
Wabash Avenue	14th Street	16th Street	South

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Gambill moved to adopt Ordinance 2004-5190, authorizing removal of the traffic signals at Broadway Avenue and 17th Street and placement of a stop sign on 17th Street as it approaches Broadway Avenue.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2004-5190

AN ORDINANCE AUTHORIZING REMOVAL OF TRAFFIC SIGNALS AT BROADWAY AVENUE AND 17th STREET AND PLACEMENT OF A STOP SIGN ON 17th STREET AS IT APPROACHES BROADWAY AVENUE

WHEREAS, the City of Mattoon’s Public Works Department has completed a traffic study for the intersection of 17th Street and Broadway Avenue (see Exhibit A – Traffic Study); and

WHEREAS, this intersection fails to meet the criteria necessary for a signalized intersection or a multi-way stop intersection stated in the Federal Highway Administration’s *Manual on Uniform Traffic Control Devices* (Section 4C) that the City of Mattoon adopted as the local standard in Section § 70.16 of the Mattoon Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Schedule III (E) of Chapter 74 of the City of Mattoon Code of Ordinances is hereby amended to include:

ONE-WAY STOP INTERSECTIONS		
<i>Street</i>	<i>Stops Approaching</i>	<i>Direction</i>
17 th Street	Broadway Avenue	South

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Hesse, seconded by Commissioner Gambill, adopted this 7th day of September, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,
Commissioner Hesse, Mayor Carter

NAYS (Names): None

ABSENT (Names): Commissioner Schilling

Approved this 7th day of September, 2004

/s/ David E. Carter

Dave Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O’Brien

/s/ J. Preston Owen

Susan O’Brien, City Clerk

Preston Owen, City Attorney

Recorded in the Municipality’s Records on September 8th, 2004

“Exhibit A”

CITY OF MATTOON – TRAFFIC STUDY WORKSHEET
Broadway Avenue and 17th Street

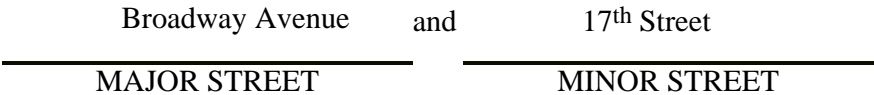
Multi-way stops. Multi-way stops are warranted if one of the following conditions is met:

- 1) Volume of traffic is approximately the same in any direction.
Not met. (17th Street does not have enough volume of traffic.)
- 2) Traffic signals are warranted per MUTCD 4C.01.
Not Met.
- 3) Crash record report indicates 5 crashes in a 12-month period.
N/A
- 4) Volume of the major street exceeds 200 (MUTCD sets 300) vehicles per hour for any eight-hour period, and the minor street has a volume that exceeds 150 (MUTCD sets 200) vehicles, pedestrians, and bicycles per hour for any eight-hour period.
Not met. (See traffic count sheet.)
- 5) 80% of condition #3 and Condition #4 are met.
Not met.
- 6) There is a visibility problem at the intersection.
No visibility problem.
- 7) There is a left turn conflict. The minor street has a volume of left turns onto the major street that exceeds 60 vehicles per hour over any eight-hour period.
Not met. (See traffic count sheet.)
- 8) Vehicle traffic conflicts with high volume of pedestrian traffic. Special Consideration will be given to areas adjacent to parks and schools.
Not met. (The pedestrian counts listed on the next page were before the Gowin’s restaurant closed. The counts are likely lower today. Additionally most of the pedestrian traffic remained on Broadway Avenue and did not cross the Street.)

The intersection of Broadway Ave. and 17th Street does not meet the criteria to warrant a multi-way stop intersection.

In conclusion, 17th street should stop at Broadway Avenue. The traffic count is very low and should not need extra control to monitor the intersection during the initial period after the change.

City of Mattoon - Traffic Count Totals



Start	Finish	Vehicles	Left Turns	Pedestrians		Vehicles	Left Turns	Pedestrians
6:	7:							

7: 30	8: 30	193	13	30		24	9	11
8:	9:							
9: 30	10: 30	181	19	28		43	14	16
10: 30	11: 30	247	37	31		61	32	19
11:	12:							
12: 00	1: 00	257	7	21		45	19	6
1: 00	2: 00	264	30	16		51	16	7
2:	3:							
3:	4:							
4:	5:							
5:	6:							
6:	7:							
7:	8:							
8:	9:							
9:	10:							
10:	11:							

Mayor Carter opened the floor for discussion. Council discussed the removal of other Broadway traffic signals with Commissioner Hesse indicating not at this time. Public Works Director David Wortman stated the stop sign parts used were from previously knocked down signs.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Donnell moved to approve Council Decision Request 2004-346, confirming the appointment of Mary Wetzel to succeed Joe McKenzie as the Mattoon Chamber of Commerce's representative on the Planning Commission, Tourism and Revolving Loan Fund Advisory Committees.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Gambill moved to approve Council Decision Request 2004-347, approving the promotion of Sgt. Michael Matheny to the rank of Lieutenant in the Police Department effective September 7, 2004 recommended by the Board of Fire and Police Commissioners.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Donnell moved to approve Council Decision Request 2004-348, approving the promotion of Police Officer Brian Jacobs to the rank of Sergeant in the Police Department effective September 7, 2004 as recommended by the Board of Fire and Police Commissioners.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Donnell moved to approve Council Decision Request 2004-349, approving the appointment of Police Officer Jeremy Clark to regular employment status retroactive to August 25, 2004 on successful completion of his one-year probationary period.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Donnell moved to approve Council Decision Request 2004-350, authorizing the hiring of two replacement police officers (Kasey N. Alexander and Adam L. Jenkins) effective September 7, 2004 as recommended by the Board of Fire and Police Commissioners.

Mayor Carter opened the floor for discussion. Council discussed the current number of officers, officers on workers compensation, and the acceptance of new applications for police officers.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Donnell moved to approve Council Decision Request 2004-351, reappointing Steve Ferguson & Alice Larrabee to successor terms on the Library Board expiring June 30, 2007.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Donnell moved to approve Council Decision Request 2004-352, designating Thursday, December 23rd and Friday December 24th as 2004 Christmas Holidays for city employees.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Donnell moved to approve Council Decision Request 2004-353, authorizing a \$130,020.07 contract with Howell Paving, Inc. for the resurfacing of Marshall Avenue from 6th Street to 17th Street.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Gambill moved to approve Council Decision Request 2004-354, reporting bids received, authorizing a \$10,000 budget revision and a contract with Trees by Titus for cutting and removing trees from property owned by the municipality.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Donnell moved to approve Council Decision Request 2004-355, accepting the resignation of Stan Kenton from the Public Works Advisory Board. Stan's resignation will reduce the size of the Public Works Advisory Board to eleven members consistent with the ordinance that established this Board.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to Approve Council Decision Request 2004-356, revising the budget for the Festival Management Fund including a transfer of funds anticipated for the Water Sports Festival to the Fall Festival to enable a \$15,000 procurement with WMCI for fall festival concert related expenses.

Mayor Carter opened the floor for discussion. Council discussed the event with Tourism Director Beth Hettinger elaborating on the lumberjacks, hayride, hotdog eating contest, and recipe contest and their sponsors. Advertising for the event was WMCI's responsibility. The funds were available due to the cancellation of the Waterworks Festival.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Donnell moved to approve Council Decision Request 2004-357, approving an assignment of Lake Paradise Ground Lease #7501 from Clyda Schniers to Joseph and Sheri Gilkerson subject to evidence that the septic system is operating properly or has been upgraded according to standards promulgated pursuant to the Illinois Private Sewage Disposal Licensing Act.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Donnell moved to approve Council Decision Request 2004-358, approving an assignment of Lake Paradise Ground Lease #L7601 from Joseph Sly to Sam Davis subject to evidence that the septic system is operating properly or has been upgraded according to standards promulgated pursuant to the Illinois Private Sewage Disposal Licensing Act.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Mayor Carter opened the floor for discussion. No discussion.

Commissioner Gambill seconded by Commissioner Donnell moved to approve Council Decision Request 2004-359, approving

an assignment of Lake Paradise Ground lease #L4001 from Margaret A. Gullett to Donna R. Homann subject to evidence that the septic system is operating properly or has been upgraded according to standards promulgated pursuant to the Illinois Private Sewage Disposal Licensing Act.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to approve Council Decision Request 2004-360, approving the appointment of Sheryl Homann to the Festival Management Committee to succeed Joel Pittman for a three-year term expiring September 30, 2007.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Gambill moved to approve Council Decision Request 2004-361, approving the appointment of David Schilling to represent the City Council on the Coles County Regional Planning & Development Commission and on a Steering Committee to formulate a County Comprehensive Plan.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Mayor Carter opened the floor for public discussion. No discussion.

Mayor Carter seconded by Commissioner Gambill moved to recess to closed session pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c) (1), the purchase of real property for the use of the municipality (5 ILCS 120(2)(5), the setting of a price for sale or lease of property owned by the municipality (5 ILCS 120(2)(6), litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c) (11): review performance appraisal reports for management employees: Steve Camden, Meter Reading & Storage Systems Supervisor (6/1/04) , and Jim Lang, Chief Water Plant Operator (6/1/04) at 8:00 p.m.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, YEA Mayor Carter.

Council reconvened from closed session at 9:07 p.m.

Mayor Carter left the regular meeting at 9:08 p.m.

Commissioner Donnell seconded by Commissioner Hesse moved to adopt Special Ordinance 2004-1043, establishing a Special Revenue Fund and a budget for the Midtown TIF District.

Commissioner Donnell opened the floor for discussion. No discussion.

Commissioner Donnell declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, Absent Mayor Carter.

Council Decision Request 2004-345 was removed from the agenda due to a bidding determination.

Commissioner Gambill seconded by Commissioner Donnell moved to adjourn at 9:10 p.m.

Commissioner Donnell declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, Absent Commissioner Schilling, Absent Mayor Carter.

/s/ Susan J. O'Brien

City Clerk